

RESOLUTION NO. 2015-1210

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRABUCO CANYON WATER DISTRICT MAKING CERTAIN FINDINGS, PROVIDING FOR ACTIVATION OF DESIGNATED MEASURES UNDER EXISTING WATER CONSERVATION AND WATER SUPPLY SHORTAGE ORDINANCE AND PROGRAM AND TAKING RELATED ACTIONS

WHEREAS, the Trabuco Canyon Water District ("District" or "TCWD") is a county water district organized and operating pursuant to California Water Code ("Water Code") Sections 30000 and following; and

WHEREAS, pursuant to statutory authority, the Board of Directors ("Board") of TCWD has previously adopted Ordinance No. 2008-18 ("Ordinance No. 2008-18") on December 18, 2008, adopting and enacting a Water Conservation and Water Supply Shortage Program ("Program"); and

WHEREAS, Ordinance No. 2008-18, which incorporates the Program, establishes permanent water conservation standards intended to alter behavior related to water use efficiency for non-shortage conditions and further establishes three levels of water supply shortage response actions to be implemented during times of declared water shortage or declared water shortage emergencies, with increasing restrictions on water use in response to worsening drought or emergency conditions and decreasing supplies as determined by the Board; and

WHEREAS, Ordinance No. 2008-18 is on file with TCWD's Secretary and is incorporated herein by this reference; and

WHEREAS, periodic droughts are a historical fact in the State ("State"); and

WHEREAS, on January 17, 2014, the Governor of the State declared a State of Emergency to exist throughout the State due to severe drought conditions; and

WHEREAS, on April 1, 2015, the Governor directed certain emergency drought measures to go into effect; and

WHEREAS, on July 16, 2014, March 17, 2015, and May 5, 2015, the California State Water Resources Control Board has adopted various drought-related emergency regulations for urban water conservation; and

WHEREAS, the California State Water Resources Control Board has mandated TCWD to reduce potable water consumption 32% below designated prior periods; and

WHEREAS, the State is entering a fourth consecutive year of below-normal precipitation and many communities in the State will suffer water shortages; and

WHEREAS, TCWD derives the water which it delivers to its customers from local groundwater and waters imported from outside the District boundaries; and

WHEREAS, due to local drought conditions, TCWD has been unable to produce local groundwater during calendar year 2014, and does not anticipate being able to produce local groundwater during the remainder of calendar year 2015; and

WHEREAS, the quality and quantity of imported water is under the control of other agencies, and may be subject to conditions beyond the control of those other agencies or TCWD; and

WHEREAS, the Board has received additional information concerning the State's current and anticipated drought conditions and impacts and effects on TCWD's water supply conditions, including, but not limited to, statements from TCWD's wholesale and regional water providers; and

WHEREAS, the Board, based on the foregoing, desires to make certain findings and determinations concerning TCWD's water supply conditions; and

WHEREAS, the Board, based on the factors, information and conditions described herein, has determined that it is appropriate at this time to direct certain actions pursuant to the provisions of Ordinance No. 2008-18 and the Program; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TRABUCO CANYON WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. **Recitals.** The Board does hereby find and determine that the foregoing recitals and above-referenced determinations are true and correct.

Section 2. **Authority.** The actions of this Resolution are authorized pursuant to State law and the provisions of Ordinance No. 2008-18 and the Program included therein.

Section 3. **Findings.** The Board hereby finds and determine as follows:

(a) Due to the current and anticipated State drought conditions (as referenced herein), a water shortage, or threat of water shortage, exists, and will exist based upon a general water supply shortage due to local, regional and State-level limited water supplies.

(b) A consumer demand water reduction is necessary to ensure that sufficient water supplies will be available to meet anticipated demands.

(c) The California State Water Resources Control Board has mandated TCWD to reduce potable water consumption 32% below designated prior periods.

(d) It is necessary at this time for the Board to implement a Level I and Level II Water Supply Shortage Condition (as set out in Ordinance No. 2008-18 and the Program).

Section 4. **Declaration of Water Supply Shortage; Actions for Implementation.**

(a) Pursuant to Section X(a) of Ordinance No. 2008-18 and the Program, the Board hereby determines and declares that the need for Level I and Level II Water Supply Shortage Conditions exist and such Levels are necessary to address such water supply and shortage conditions.

(b) The Board directs that certain Level I and Level II Water Supply Shortage Conditions set out in Ordinance No. 2008-18 and the Program shall be implemented upon the Effective Date of this Resolution (as defined herein) and as provided for in Ordinance No. 2008-18 and the Program.

(c) Except as provided for in Attachment "A" to this Resolution, the provisions of Level I and Level II Water Supply Shortage Conditions set out in Ordinance No. 2008-18 and the Program shall be effective as set forth herein.

(d) In addition to the foregoing, the Water Conservation Measures set out in Attachment "A" to this Resolution shall also be effective as of the Effective Date.

(e) All corresponding provisions of Ordinance 2008-18 and the Program affected by this implementation shall be in effect as set out therein.

(f) All notice(s) required pursuant to Ordinance 2008-18 and the Program by reason of the adoption of this Resolution shall be provided.

Section 5. Further Actions. The General Manager and legal counsel to the District and the District's staff and consultants are authorized to take any and all actions necessary to implement the directives and intention of this Resolution.

Section 6. Prior Actions Ratified. All actions heretofore taken by the General Manager, officers, employees, consultants and agents of the TCWD with respect to the actions set forth herein are hereby approved, confirmed and ratified.

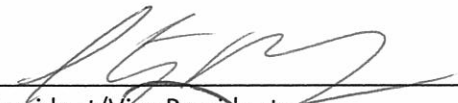
Section 7. No Other Actions or Amendment. Except as directed herein, the provisions of Ordinance No. 2008-18 and the Program shall not be otherwise amended.

Section 8. Effective Date. This Resolution shall be effective June 1, 2015 ("Effective Date"), which is more than 10 days after the adoption of this Resolution as provided for under Section X(a) of Ordinance No. 2008-18 and related State law.

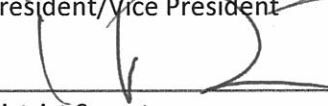
Section 9. Effectiveness of Resolution. The findings, determinations, directives and actions set out in this Resolution shall remain in force and effect until repealed, amended, rescinded or modified by action of the Board.

ADOPTED, SIGNED, and APPROVED this 15th day of May, 2015.

TRABUCO CANYON WATER DISTRICT:



President/Vice President



District Secretary

STATE OF CALIFORNIA)

) ss.

COUNTY OF ORANGE)

I, Michael Perea, Secretary of the Board of the Trabuco Canyon Water District, do hereby certify that the foregoing resolution was duly adopted by the Board of such District at a meeting of such Board held on the 15th day of May, 2015, of which meeting all of the members of the Board had due notice and at which a quorum thereof were present and acting throughout and for which notice and an agenda was prepared and posted as required by law and that at such meeting such resolution was adopted by the following vote:

AYES: Dopudja, Acosta, Haselton, Mandich, Safranski

NOES: None

ABSTAIN: None

ABSENT: None

District Secretary,
Trabuco Canyon Water District

STATE OF CALIFORNIA)

) ss.

COUNTY OF ORANGE)

I, Michael Perea, Secretary of the Board of the Trabuco Canyon Water District, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 2015-1210 of such Board and that the same has not been amended or repealed.

Dated this 15th day of May, 2015.

12

District Secretary,
Trabuco Canyon Water District

ATTACHMENT A

WATER CONSERVATION MEASURES ENACTED BY THIS RESOLUTION

LEVEL 1 WATER SUPPLY SHORTAGE ACTIONS (WATER WATCH)

Limit on Watering Duration:

Except as provided for below watering or irrigating of lawn, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than five (5) minutes watering per day per station. This subsection does not apply to landscape irrigation systems that exclusively use very low-flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour and weather based controllers or stream rotor sprinklers that meet a 70% efficiency standard

Obligation to Fix Leaks, Breaks or Malfunctions:

All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within seventy-two (72) hours of notification by the District unless other arrangements are made with the District.

Pavement/Surface Washing:

Water shall not be used to wash down sidewalks, driveways, parking areas, tennis courts, patios or other paved areas except to alleviate immediate fire or sanitation hazards.

LEVEL 2 WATER SUPPLY SHORTAGE ACTIONS (WATER ALERT)

Watering Days:

Except as provided for below watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to two days per week during the months of April through October, as set forth below. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the District. This provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

Obligation to Fix Leaks, Breaks or Malfunctions:

All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within forty-eight (48) hours of notification by the District unless other arrangements are made with the District.

Limits on Filling Ornamental Lakes or Ponds:

Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life or to protect public health or sanitation, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a supply shortage level under this Ordinance.

Other Prohibited Uses:

1. The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall is prohibited
2. Irrigation with potable water of ornamental turf on public street medians is prohibited.
3. Customers who are classified as Commercial Agricultural users (as defined in State law) shall be subject to a water management and usage plan ("Agricultural Plan") agreed to between such user(s) and the District which Agricultural Plan shall be approved by the General Manager not later than June 15, 2015. Any such Agricultural Plan agreed to by the District may be revised from time to time with the consent of the General Manager. Any such Agricultural Plan agreed to shall become binding on the relevant Agricultural user while this Resolution is in force.
4. Customers who are classified as Irrigation users (as defined in TCWD's Rules and Regulations) shall be subject to a water management and usage plan ("Irrigation User Plan") agreed to between such user(s) and the District which Irrigation User Plan shall be approved by the General Manager not later than June 15, 2015. Any such Irrigation User Plan agreed to by the District may be revised from time to time with the consent of the General Manager. Any such Irrigation User Plan agreed to shall become binding on the relevant Irrigation user while this Resolution is in force.

SCHEDULE FOR WATERING DAYS/DURATION (PER LEVEL 1 AND LEVEL 2 REQUIREMENTS)

Watering or irrigating of lawn, landscape, or other vegetated area with potable water is limited to a maximum of two (2) days per week, as referenced in VII(b)(2) and VIII(b)(2), on the following schedule:

COMMUNITY	CUSTOMER ACCOUNT NUMBER BEGINS WITH THE FOLLOWING	WATERING DAYS
Dove Canyon	100	Tuesday & Friday
Trabuco Highlands	200	Monday & Thursday
Robinson Ranch	300	Tuesday & Friday
Rancho Cielo	400	Monday & Thursday
Walden Homes	401	Monday & Thursday
Canyon Areas	500	Tuesday & Friday
Santiago Canyon	600	Monday & Thursday
Portola Hills	700	Tuesday & Friday
Vista Homes	900	Tuesday & Friday